

Appl. No. 09/764,810  
Amdt. Dated November 30, 2004  
Reply to Office action of September 14, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                    |                   |                       |
|--------------------|-------------------|-----------------------|
| Application. No. : | 09/764,810        | Confirmation No. 7766 |
| Applicant :        | Abraham Mendelson |                       |
| Filed :            | 01/16/2001        |                       |
| TC/A.U. :          | 2186              |                       |
| Examiner :         | Hong Chong Kim    |                       |
| Docket No. :       | 042390.P10140     |                       |
| Customer No. :     | 8791              |                       |

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office action of September 14, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

**TELEPHONE: (714) 557-3800**

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (714) 557-3347

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# FACSIMILE COVER SHEET

Deliver to: Hong Chong Kim, USPTO

Art Group: 2186

Facsimile No.: 703-872-9306

Date: November 30, 2004

From: Thinh V. Nguyen, Reg. No. 42,034

Our Docket No.: 42390P10140

Number of pages 13:including this sheet.

Application No.: 09/764,810

Filing Date: 1/16/2001

**Docket Due Date(s):** 12/14/2004

**Enclosed are the following documents:**

- ☒ Amendment: Response ( 9 pgs)  
☐ Appeal Brief (in triplicate) ( \_\_\_\_pgs)  
☐ Application: \_\_\_\_\_  
                                 ( \_\_\_\_pgs) w/cover & abstract  
☐ Assignment & Cover Sheet ( \_\_\_\_pgs)  
☒ Certificate of Facsimile  
☐ Continued Prosecution Application (CPA)  
☐ Declaration & POA ( \_\_\_\_pgs)  
☐ Drawings: \_\_\_\_sheets, \_\_\_\_ figures  
☐ Extension of Time: \_\_\_\_\_  
☒ Fee Transmittal (In duplicate)  
☐ IDS & PTO/SB/08 ( \_\_\_\_pgs)  
☐ Other \_\_\_\_\_

☐ Issue Fee Transmittal  
☐ Notice of Appeal  
☐ Petition for: \_\_\_\_\_  
☐ Request for Continued Examination (RCE)  
☐ Reply Brief ( \_\_\_\_pgs)  
☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)  
☐ Request to Rescind Previous Nonpublication Request  
☐ Response to Notice of Missing Parts & Formalities Letter  
☐ Response to Written Opinion ( \_\_\_\_pgs)  
☐ Terminal Disclaimer  
☐ Transmittal of Publication Fee Due  
☒ Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

***Tu T. Nguyen***

11/30/2004

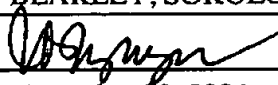
Date \_\_\_\_\_

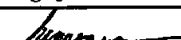
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|   |    |                        |                   |
|---|----|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |    | Application No.        | 09/764,810        |
|   |    | Filing Date            | January 16, 2001  |
|   |    | First Named Inventor   | Abrahma Mendelson |
|   |    | Art Unit               | 2186              |
|   |    | Examiner Name          | Hong Chong Kim    |
| Total Number of Pages in This Submission  | 12 | Attorney Docket Number | 42390P10140       |

| ENCLOSURES (check all that apply)   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input checked="" type="checkbox"/> Amendment / Response<br><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> PTO/SB/08<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><br><input type="checkbox"/> Basic Filing Fee<br><input type="checkbox"/> Declaration/POA<br><br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s) (please identify below):<br><div style="border: 1px solid black; height: 60px; width: 100%;"></div> |
| Remarks   |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Thinh V. Nguyen, Reg. No. 42,034<br>BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP          |
| Signature                                  |  |
| Date                                       | November 30, 2004   |

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|--|---|------|-------------------|
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| Typed or printed name  | Tu T. Nguyen  |      |                   |
| Signature  |  | Date | November 30, 2004 |

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL  
for FY 2004**

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT (\$)****Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/764,810        |
| Filing Date          | January 16, 2001  |
| First Named Inventor | Abrahma Mendelson |
| Examiner Name        | Hong Chong Kim    |
| Art Unit             | 2186              |
| Attorney Docket No.  | 42390p10140       |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit AccountDeposit  
Account  
Number

02-2666

Deposit  
Account  
Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.15, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

**2. EXTRA CLAIM FEES**

Total Claims  - 30 =  X  =   
Independent Claims  - 3 =  X  =   
Multiple Dependent

| Large Entity |          | Small Entity |          | Fee Description   | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |   |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                         |          |
| 1203         | 300      | 2203         | 150      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 88       | 2204         | 44       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity                       |          | Small Entity |          | Fee Description  | Fee Paid |
|------------------------------------|----------|--------------|----------|--|----------|
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                               | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                               | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                               | 130      | 2053         | 130      | Non-English specification  |          |
| 1812                               | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804                               | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                               | 1,840*   | 1806         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                               | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                               | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253                               | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254                               | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255                               | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1404                               | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402                               | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403                               | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451                               | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                               | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                               | 1,370    | 2453         | 685      | Petition to revive - unintentional   |          |
| 1501                               | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502                               | 490      | 2502         | 245      | Design issue fee   |          |
| 1503                               | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460                               | 130      | 2460         | 130      | Petitions to the Commissioner  |          |
| 1807                               | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806                               | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                               | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                               | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                               | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                               | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802                               | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)                |          |              |          |  |          |
| * Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| SUBTOTAL (3)                       |          |              |          |  | (\$)     |

**SUBMITTED BY**Name (Print/Type) **Thinh V. Nguyen**Registration No.  
(Attorney/Agent)

42,034

Telephone

(714) 557-3800

Signature

Date

11/30/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL  
for FY 2004**

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT**

(\$)

**Complete if Known**

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|----------------------|-------------------|
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☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.18, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
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**2. EXTRA CLAIM FEES**

Total Claims  - 30 =  x  =

Independent Claims  - 3 =  x  =

Multiple Dependent  =

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|--------------|----------|--------------|----------|---|----------|
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| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |   | (\$)     |

\*\*or number previously paid, if greater. For Reissues, see below

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1061                | 130      | 2061         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 2053                | 130      | 2053         | 130      | Non-English specification  |          |
| 1812                | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804                | 920      | 1804         | 920      | * Requesting publication of SIR prior to Examiner action                   |          |
| 1805                | 1,840    | 1805         | 1,840    | * Requesting publication of SIR after Examiner action                      |          |
| 1251                | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
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| 1253                | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254                | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255                | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1404                | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402                | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403                | 300      | 2403         | 150      | Request for oral hearing   |          |
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| 1453                | 1,370    | 2453         | 685      | Petition to revive - unintentional   |          |
| 1501                | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
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| 1806                | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                | 790      | 1809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802                | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) |          |              |          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

**SUBMITTED BY**

Name (Print/Type)

Thinh V. Nguyen

Registration No.  
(Attorney/Agent)

42,034

Telephone

(714) 557-3800

Signature

Date

11/30/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/10/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450